GOVERNMENT OF INDIA
PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS
LOK SABHA

STARRED QUESTION NO:361
ANSWERED ON:19.04.2000
COMPULOSRY RETIREMENT OF OFFICERS INVOLVED IN CORRUPTION
MADAN PRASAD JAISWAL

Will the Minister of PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS be pleased to state:

(a) whether the Government propose to compulsorily retire Government officers and other employees involved in the cases of corruption;

(b) if so, the criteria laid down therefor;

(c) the details of the All India Service Officers found involved in corruption cases and have committed gross irregularities and dereliction of duty; and

(d) the action taken against these officers?

Answer

MINISTER OF STATE OF DEPARTMENT OF PERSONNEL AND TRAINING AND DEPARTMENT OF PENSION AND PENSIONERS` WELFARE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(SMT. VASUNDHARA RAJE)

(a),(b),(c)&(d) A Statement is placed on the Table of the House.

STATEMENT REFERRED TO IN THE REPLY TO STARRED QUESTION NO.361 FOR ANSWER ON 19/4/2000

(a) & (b) The Central Civil Services (Classification Control and Appeal) Rules, 1965 governing Central Government servants and corresponding rules governing officers of All India Services, Railways, Foreign Service etc. provide for `compulsory retirement` as one of the major penalities. This penalty can be imposed on a Government servant for good and sufficient reasons after following the prescribed procedure by the disciplinary authority. However, the said Rules stipulate that in every case in which the charge of acceptance of illegal gratification is established, the penalty of removal or dismissal from service should be imposed.

(c) & (d) Under the All India Services (Discipline & Appeal) Rules, 1969, the State Government as well as the Central Government, depending as to where the officer was working at the time of committing the misconduct, can initiate disciplinary proceedings against a member of the service. State Governments are also competent to impose all the penalities prescribed under Rule 6 of the said Rules, except the three major penalities of dismissal, removal and compulsory retirement which can be imposed only by the Central Government. Sanction of the Central Government is also required for initiating departmental proceedings against a member of the All India Services after retirement. Further, sanction under section 19 of the Prevention of Corruption Act, 1988 in respect of members of the All India Services can only be granted by the Central Government. Department of Personnel & Training exercises the powers of the Central Government in respect of the Indian Administrative Service (IAS) as cadre controlling authority. For the other two All India Services i.e. Indian Police Service (IPS) and Indian Forest Service (IFS), the Ministry of Home Affairs and Ministry of Environment and Forest are the cadre controlling authorities respectively.

The information regarding action initiated/penalities imposed by the State Governments on members of the All India Services (other than the three major penalities) is not centrally maintained or monitored. The number of cases where the sanction for prosecution was granted, disciplinary proceedings initiated and penalty imposed against officers of All India Services during the last five years (i.e. 1995 to 1999) as per the available information is as follows:

Category	IAS	IPS	IFS
sanction for prosecution granted	29	8	2

Disciplinary proceedings initiated	28	27	60
Penalty imposed	14	12	1
Case closed	2	8	-